

REMARKS

The Office Action mailed June 29, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. § 103(a)

Claims 1 – 46 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Hawkins et al. (U.S. pat. no. 6,516,202, hereinafter, “Hawkins”) in view of Macor (U.S. pat. no. 6,463,299).

Claim 1, from which Claims 2 – 15 and 17 – 25 depend, reads as follows:

1. A wireless communication device which provides communication capability for a personal data assistant, the device comprising:

a housing adapted to detachably mate with the personal data assistant and be portable therewith;

a modem within the housing, the modem adapted to provide exclusive wireless communication capability for the personal data assistant through an established communication link between the modem and the personal data assistant; and

logic in the housing adapted to periodically check for message notifications and provide notification of same independently of the established communication link, said logic being capable of operation while the personal data assistant is mated to the housing and is running a separate application.

Hawkins is directed to an expansion unit for an organizer. The expansion unit comprises a cellular element 350 that plugs into organizer 300 and provides the organizer with cellular communication capabilities.

The Office Action acknowledges that Hawkins fails to disclose logic in the expansion unit 365 to “periodically check for message notifications and provide notification of same independently of the established communication link, said logic being capable of operation while the personal data assistant is mated to the housing and is running a separate application.” (Claim 1). The Office Action states:

Macor discloses the utility of providing a means for checking message notifications in an auxiliary device connected to a data processing device independent of the connection between them (citation omitted), note that the portable device has the ability to display such notifications without it being connected to the computer unit. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add such a feature to Hawkins, as it would help inform the user of waiting messages, as suggested by Macor.

Applicants respectfully disagree. The question is whether it would have been obvious to one of ordinary skill in the art to add to Hawkins, based on the teachings of Macor, logic in expansion unit 365 adapted to periodically check for message notifications and provide notification of same independently of the communications link between expansion unit 365 and organizer 300, the logic being capable of operation while the organizer 300 is mated to the expansion unit 365 and is running a separate application.

But in Hawkins, expansion unit 365 is mated to organizer 300 and is portable therewith. Unlike in Macor, in which base unit 12 is stationary and handset 14 is portable, there is no need to send message notifications from the expansion unit 365 to the organizer 300 in Hawkins. The user of the organizer 365 knows he/she can access the expansion unit 300 to check for messages, even though this is problematic because the user must discontinue any current application on the organizer and begin a new, message-checking application.

In addition, portable handset 14 is incapable of “running a separate application,” and, by definition, can only operate when a connection between it and base unit 12 is established. Therefore one of ordinary skill in the art would not look to Macor to modify Hawkins so as to provide logic in the expansion unit 365 to “periodically check for message notifications and provide notification of same independently of the established communication link, said logic being capable of operation while the personal data assistant is mated to the housing and is running a separate application.” (Claim 1).

Claims 26 and 36, from which the remaining pending claims depend, contain similar features and are patentable over the combination of Hawkins and Macor for at least the same reasons.

Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
THELEN REID & PRIEST, L.L.P.

Dated: 9/31/05



Khaled Shami
Reg. No. 38,745

Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 282-1855
Fax. (408) 287-8040